AMENDMENTS TO THE CLAIMS

1. (Currently amended) Gene transfer vector, comprising

(a) ~~the YB-1 promoter, its mutants or deletion variants,~~ a promoter region consisting of nucleotides 453 to 2150 of SEQ ID NO: 1;

(b) a transgene or the cDNA of a transgene; and

(c) two multi-cloning sites (MCS) between which is the transgene.

2. (Previously presented) Gene transfer vector according to Claim 1, wherein the transgene is a therapeutic gene.

3. (Previously presented) Gene transfer vector according to Claim 1, wherein the transgene is a reporter gene.

4. to 5. (Canceled)

6. (Previously presented) Gene transfer vector according to Claim 1, wherein a regulating element is additionally inserted into the vector.

7. (Previously presented) Gene transfer vector according to Claim 1, wherein the multi-cloning sites (MCS) contain at least 3 enzyme restriction sites interfaces for restriction enzymes.

8. (Previously presented) Gene transfer vector according to Claim 1, wherein the multi-cloning sites (MCS) each comprise between 5-10 restriction enzyme sites.

9. (Previously presented) Gene transfer vector according to Claim 1, wherein th multi-cloning sites (MCS) for restriction enzymes contain no enzyme restriction sites occurring within the sequences of the YB-1 promoter.

10. (Previously presented) Gene transfer vector according to Claim 1, wherein the multi-cloning sites (MCS) contain sticky enzyme restriction sites and blunt enzyme restriction sites for restriction enzymes.

11. to 15. (Canceled)

16. (Currently amended) ~~(Previously presented)~~ The vector of claim 1, wherein it is in a form suitable for *in vivo* ~~transgene~~ expression of the transgene.

17. (Currently amended) ~~(Previously presented)~~ A method of elevating the serum level of a trangene product comprising the steps of

(a) preparing the vector of claim ~~11~~ 16

(b) administering said vector to a mammal, and

(c) measuring the serum level of the mammal at various times after administering the vector.

18. (New) A gene expression cassette comprising,

(a) a promoter region consisting of nucleotides 453 to 2150 of SEQ ID NO: 1;

(b) a transgene or the cDNA of a transgene; and

(c) two multi-cloning sites (MCS) between which is the transgene.

19. (New) The gene expression cassette of claim 18, further comprising adenoviral genomic sequences lacking the E1 and E3 regions of the adenoviral genome.

20. (New) The gene expression cassette of claim 18, further comprising replication-defective adenoviral genomic sequences, thereby providing a gene transfer vector suitable for the *in vivo* expression of a transgene.

21. (New) The gene expression cassette of claim 18, further comprising replication-defective adenoviral genomic sequences, thereby providing a gene transfer vector suitable for the *in vitro* expression of a transgene in cultured mammalian cells.

Gene Transfer Vector for the Diagnosis and Therapy of Malign Tumors
Inventor: Dörken et al. Serial Number: 09/869,508

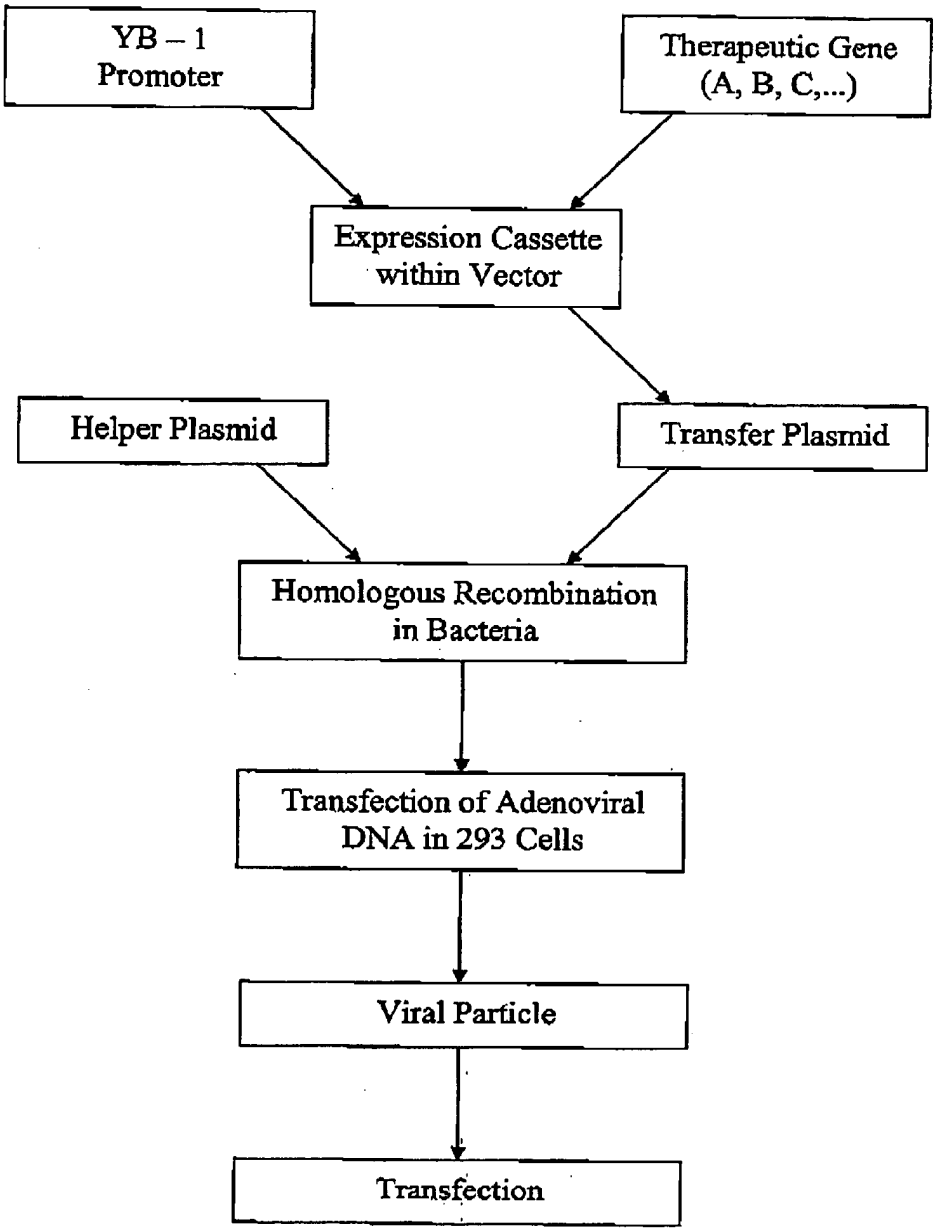

Fig. 1

Gene Transfer Vector for the Diagnosis and Therapy of Malign Tumors
Inventor: Dörken et al. Serial Number: 09/869,508

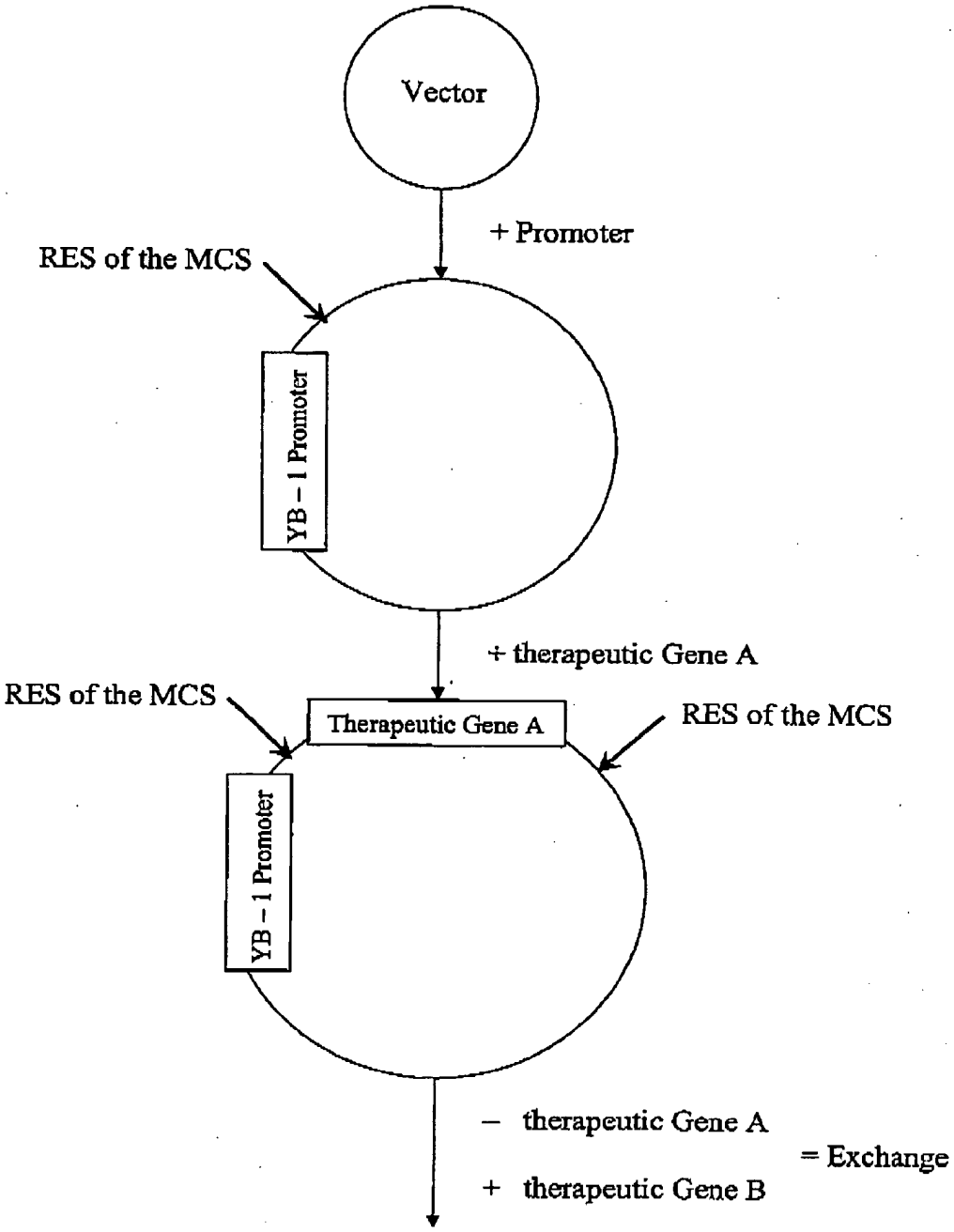

Fig. 2

Gene Transfer Vector for the Diagnosis and Therapy of Malign Tumors
Inventor: Dörken et al. Serial Number: 09/869,508

Homologous Recombination in Bacterium

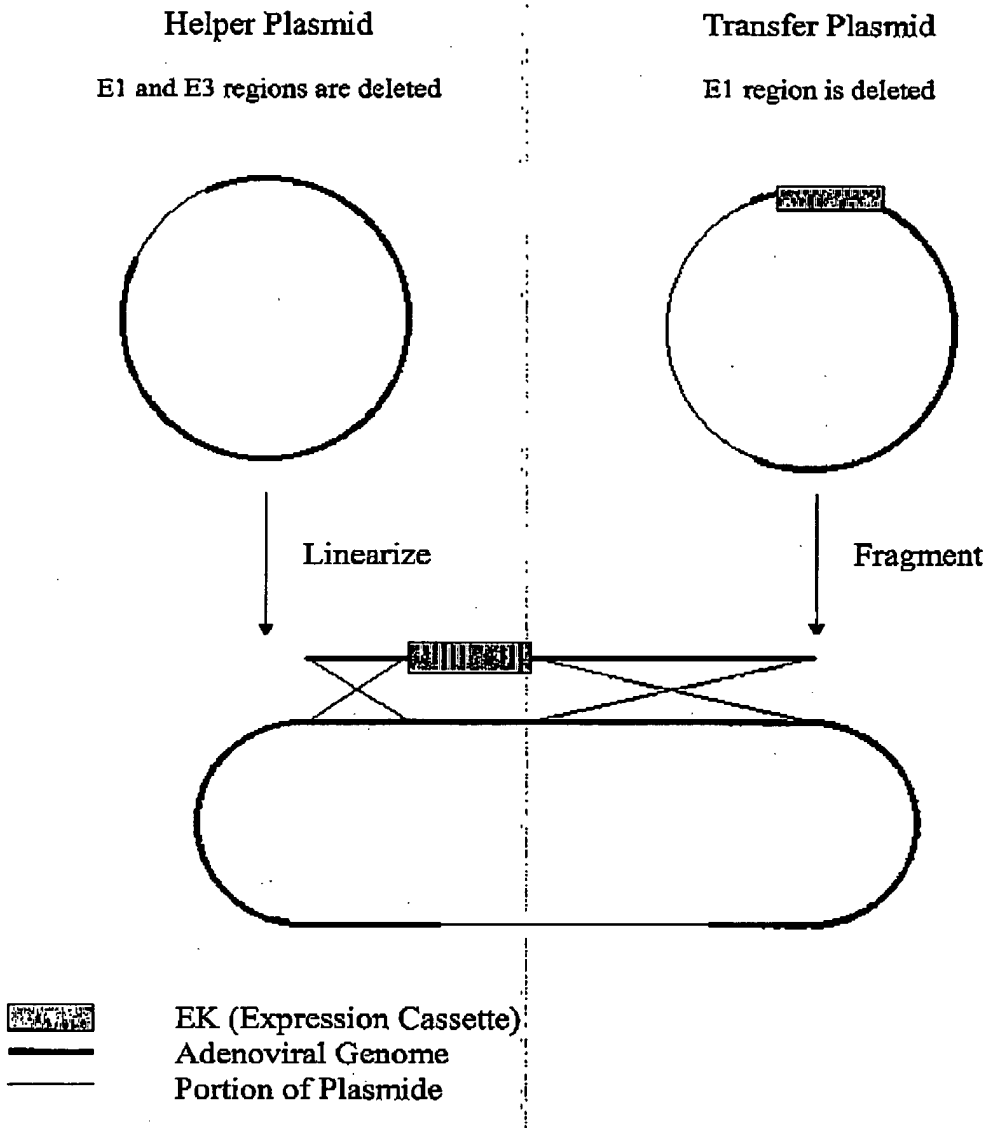

Fig. 3

Gene Transfer Vector for the Diagnosis and Therapy of Malign Tumors
Inventor: Dörken et al. Serial Number: 09/869,508

Fig. 4 A

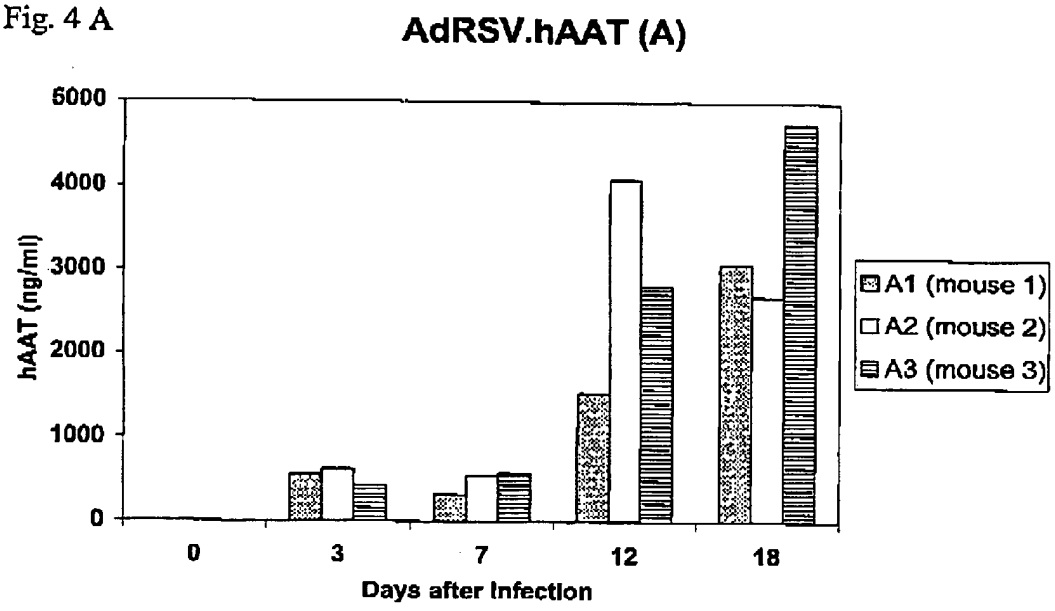

Fig. 4 B